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TRANS	SMITTAL OI (U		Docket No. 17280										
In Re Application Of: Koji Yamaya, et al.  JUN 0 9 2004													
Serial No. 10/721,518		Filing Date November 24, 2003	E.	Examiner Unassigned			Group Art Unit 3739						
Title: ENDOSCOPE APPARATUS													
Address to:  Commissioner for Patents  P.O. Box 1450  Alexandria, VA 22313-1450													
			37 (	CFR 1.97(b)	)								
oʻ th a	1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.												
			37 (	CFR 1.97(c)	)								
C F	2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:												
the statement specified in 37 CFR 1.97(e);													
		OR											
	☐ the fee se	et forth in 37 CFR 1.17(p).											

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT Docket No. 17280 (Under 37 CFR 1.97(b) or 1.97( In Re Application: Koji Yamaya, et al. JUN 0 9 2004 Group Art Unit Examiner Filing Date Serial No. 3739 Unassigned 10/721,518 November 24, 2003 ENDOSCOPE APPARATUS **Payment of Fee** (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) is attached. A check in the amount of 19-1013/SSMP The Director is hereby authorized to charge and credit Deposit Account No. as described below. Charge the amount of Credit any overpayment. X Charge any additional fee required. Certificate of Transmission by Facsimile\* Certificate of Mailing by First Class Mail tify that this document and authorization to charge depo I certify that this document and fee is being deposited account is being facsimile transmitted to the United with the U.S. Postal Service on June 7, 2004 as first class mail under 37 C.F.R. 1.8 and is Patent and Trademark Office (F: addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. (Date) Signature Signature Thomas Spinelli Typed or Printed Name of Person Signing Certificate Typed or Printed Name \*This certificate may only be used if paying by deposit account. Dated: June 7, 2004 Thomas Spinelli Registration No. 39,533 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, NY 11530 (516) 742-4343 TS:jap CC:



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Koji Yamaya, et al. Examiner: Unassigned

**Serial No.:** 10/721,518 **Art Unit**: 3739

Filed: November 24, 2003 **Docket**: 17280

For: ENDOSCOPE APPARATUS Dated: June 7, 2004

**Conf. No.:** 5316

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

- 1. United States Patent No. 6,458,074 B1, issued to Matsui, et al., dated October 1, 2002;
- 2. United States Patent No. 6,071,233, issued to Ishikawa, et al., dated June 6, 2000;

## **CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 7, 2004.

Dated: June 7, 2004

Thomas Spinelli

3. United States Patent No. 4,436,087, issued to Ouchi, dated March 13, 1984;

4. United States Patent Application Publication No. 2003/0040657 A1, issued to

Yamaya, et al., dated February 27, 2003; and

5. Japanese Patent Application Publication No. 3-275028, dated December 5,

1991, together with English-language Abstract.

The references were cited in a Search Report dated March 15, 2004 received from

the European Patent Office. Applicants are submitting a copy of Reference No. 5, together with

a copy of the Search Report. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect

as of June 30, 2003, applicants are not required to submit copies of the above-cited U.S. Patent

references. The relevance of the above-identified references has been described in the Search

Report.

Further, the undersigned hereby states that each item of information contained in

this Information Disclosure Statement was first cited in any communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of this

Information Disclosure Statement.

Respectfully submitted,

Thomas Spinelli

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TS:jap

OIPE				Docket Number (Optional 1728)	Application Number 10/721,518						
O. INE	RMAT Use:	FION DISCLOSURE ( several sheets if necess	CITATION sary)	Applicant(s)  Koji Yamaya, et al.							
JUN 0 9 2004	EICE 6			Filing Date November 2		Group Art Unit 3739					
C TRADEMARY	<del>)</del>		U.S.	PATENT	DOCUMENTS						
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE		NAME CLASS		SUBCLASS	FILING DATE IF APPROPRIATE			
		6,458,074 B1	10/1/2002	Mats	sui et al.						
		6,071,233	6/6/2000	Ishik	awa, et al.						
		4,436,087	3/13/1984	Oucl	hi						
		2003/0040657 A1	2/27/2003	Yam	aya, et al.						
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Form PTO-A820 U.S. DEPARTMENT OF COMMERCE (also form PTO-1449) P09A/REV04

Patent and Trademark Office\*